

REMARKS**Introductory Comments:**

Claims 1, 5-7 and 9-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Powell et al. [US 2002/0073167] in view of Marks et al. (USPN 6,463,447). Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Powell et al. and Marks et al in view of Brendel et al. (USPN 5,774,660). Claims 2, 4, and 8 are cancelled. The Applicants respectfully request reconsideration of claims 1, 3, and 5-7, and 9-17.

In Response To The Claim Objections:

Claim 3 is objected to because of the following informalities: claim 3 is dependent on cancelled claim 2. Appropriate correction was required. The Applicants respond by amending claim 3 as suggested to depend on claim 1.

In Response To The 112 Rejection:

Claim 3 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 3 recites the limitation "said group of user terminals" in line 2 of the claim. In response to this rejection, the Applicants amend claim 3 to include "said client group of computers", which is properly referenced in claim 1.

In Response To The 103 Rejections:

Claims 1, 5-7 and 9-17 are rejected because, according to the Office Action, Powell teaches a server load reduction system including a master URL containing data comprising: a proxy server comprising a proxy server cache and a distribution mechanism, said proxy server adapted to receive the data from the master URL, said proxy server comprising logic operative to record the data in a proxy server cache, said proxy server further comprising a distribution mechanism for automatically distributing the data to a client group of computers when said proxy server contains all of the data [paragraphs 0011, 0016, 0030-0033, 0100, 0134 and 0177]; a multicast server (not explicitly stated) loading the data in response to notification by said proxy server to load the data when said proxy server contains all of the data [paragraph 0012, 0063, 0153-01551; a multicast server client storage location comprising a browser cache receiving the data from said multicast server and storing the data in said browser cache for access by said group of computer users [paragraphs 0047, 0051, 0063]; and a proxy browser adapted to conduct a browse operation to request the data contained in the master URL, said browse operation conducted through said proxy server, said proxy browser containing logic operative to notify said multicast server to load the data to said client group of computers when said proxy server contains all of the data and when said client group of computers have received a command from the proxy browser to load the data [paragraphs 0011, 0016, 0030-

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0033,0061-0063,0134]. The Office Action recognizes that Powell et al. fail to explicitly teach a multicast server.

According to the Office Action, Marks et al. disclose a network operations center comprising a middleware server, a master proxy server and multicast server in communication with the web cache, data storage and local server (col.6 line 22-col.7 line 46, col. 13 line 64-col. 14 Line 20, col. 15 line 65-col. 16 line 15, col. 18 lines 11-28, col. 18 line 57-col. 19 line 7 and col.20 line 23-col.21 line 4).

Claims 1, 5-7 and 9-17 are new and nonobvious because they include elements not disclosed or suggested by the prior art. Claim 1 includes a distribution mechanism for automatically distributing the data to a client group of computers when said proxy server contains all of the data. Although Powell arguably transmits data to servers, it does not disclose or suggest *automatically* transmitting data in response the proxy server containing all the data.

Claims 1, 5-7 and 9-17 further include a multicast server loading the data in response to notification by the proxy server to load the data when the proxy server contains all of the data. As discussed earlier, Powell mentions multicast signals (without disclosing or suggesting a multicast server), however, these signals are used for satellite transmissions as opposed to a local transmission from a local multicast server to a plurality of clients. It is well know that satellites typically broadcast in multicast, however, there is no reason why one skilled in the art would use multicast signals in the way claimed by the

Applicants. The claims define a system such that the multicast server may rapidly load data from the proxy server and, through multicast signals, rapidly transmit the information to a multicast server client storage. This is particularly useful for interactive teaching and presentations as the signals are rapidly multicast from a multicast server to a multicast client storage for transmission to the group of users.

Further, the proxy browser of claims 1, 5-7 and 9-17 contains logic operative to notify the multicast server to load the data to the client group of computers when the proxy server contains all of the data and when said client group of computers have received a command from the proxy browser to load the data. The Powell reference does not disclose or suggest equivalent control logic.

Instead, Powell is directed to a system wherein users download data on demand through a proxy system. Although this type of system would be useful for satellite communications and transmissions, it would not serve the needs of interactive teaching in a classroom setting, as would the present invention.

Marks also does not include logic operative to notify the multicast server to load the data to the client group of computers when the proxy server contains all of the data and when said client group of computers have received a command from the proxy browser to load the data. Instead, Marks includes a typical bandwidth optimization system, which classifies filters out unwanted

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signals. (Abstract.) Therefore, each element of the claims is not disclosed or suggested in the prior art.

Because each and every element of claims 1, 5-7 and 9-17 is not disclosed or suggested in Powell and Marks, either alone or in combination, claims 1, 5-7 and 9-17 are believed to be allowable. Claim 3 depends from claim 1 and is also believed to be allowable for at least the aforementioned reasons.

Even if all the elements of claims 1, 5-7 and 9-17 were disclosed in Powell and Marks, the Applicants submit that it would not have been obvious to combine the Powell and Marks references to arrive at the present invention. No reason is shown why one of ordinary skill in the art would modify the Powell and Marks references as the Office Action proposes. The references are not pertinent to the problem of instructor led education systems, as is the present invention.

"Obviousness cannot be established by combining the teachings of the prior art to produce the claimed invention, absent some teaching, suggestion or incentive supporting the combination." ACS Hospital Systems, Inc. v. Montefiore Hospital, 732 F.2d 1672, 1577, 221 USPQ 929, 933 (Fed.Cir. 1984). Even if all the elements of Applicant's invention are disclosed in various prior art references, the claimed invention taken as a whole cannot be said to be obvious without some reason given in the prior art why one of ordinary skill would have

been prompted to combine the teachings of the references to arrive at the claimed invention.

The Powell reference is directed to a typical content delivery system for communication transmissions (Abstract.) More importantly, however, Powell does not disclose or teach, among other things, a multicast server loading the data in response to notification by said proxy server to load the data when said proxy server contains all of the data. Instead, the Powell system is conventional in that it includes local proxy servers and a priority determination scheme receiving data transmissions in response to user requests.

The Marks reference is directed to a conventional bandwidth optimization system including multicasting signals and filtering out unwanted content. (col.6 line 22-col.7 line 46, col. 13 line 64-col. 14 Line 20, col. 15 line 65-col. 16 line 15, col. 18 lines 11-28, col. 18 line 57-cot. 19 line 7 and col.20 line 23-col.21 line 4.) Marks, however, does not disclose or teach notifying a multicast server to load data when the client group of computers have received a command from the proxy browser to load the data as recited in the claims. Marks also does not teach or suggest that application of the Marks system would be in any way beneficial to internet based learning or instructor led education systems, as is the claimed system. It would not, therefore, have been obvious to modify Marks as the Office Action proposes.

The Powell and Marks references are directed to conventional internet systems. More importantly, neither of these references discloses or

teaches logic operative to notify the multicast server to load the data to the client group of computers when the proxy server contains all of the data and when said client group of computers have received a command from the proxy browser to load the data, as recited in the claims. Further, no reason has been shown why it would be obvious to selectively combine these references to produce the claimed invention. Applicants therefore submit that no motivation has been shown to combine the references as proposed.

Conclusions:

In view of the aforementioned remarks, it is respectfully submitted that all pending claims are in a condition for allowance. A notice of allowability is therefore respectfully solicited.

Should the Examiner have any further questions or comments please contact the undersigned. Please charge any fees required in the filing of this amendment to deposit account 50-0476.

Respectfully submitted,

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